

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2007-0102 – 10019 IH 35 South

REQUEST:

Approve second / third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 10019 IH 35 South (Slaughter Creek Watershed) from interim – rural residence (I-RR) district zoning to limited industrial service – conditional overlay (LI-CO) combining district zoning on Tract 1, community commercial – conditional overlay (GR-CO) combining district zoning on Tract 2 and rural residence – conditional overlay (RR-CO) combining district zoning on Tract 3. On Tract 1, the Conditional Overlay allows light manufacturing and general warehousing and distribution uses, and all permitted warehouse/limited office (W/LO) district uses. On Tract 2, the Conditional Overlay prohibits all auto-related uses, congregate living; commercial off-street parking, drop-off recycling collection facility, exterminating services, hotel-motel, off-site accessory parking, outdoor entertainment, outdoor sports and recreation, pawn shop services, residential treatment, and service station. In addition, development of the property is limited to 2,000 vehicle trips per day across Tracts 1, 2 and 3.

DEPARTMENT COMMENTS:

The Conditional Overlay incorporates the conditions imposed by the City Council at First Reading.

OWNER: Hill Country Springs (Cathy and Lonnie Ardrey).

DATE OF FIRST READING: January 17, 2008, approved LI-CO district zoning for Tract 1, GR-CO district zoning for Tract 2 and RR-CO district zoning for Tract 3, on First Reading (6-0, Mayor Pro Tem McCracken – off the dais).

CITY COUNCIL HEARING DATE: January 15, 2009

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0102 – 10019 IH-35 South

ZAP DATE: October 2, 2007

November 6, 2007

December 4, 2007

ADDRESS: 10019 IH-35 South

OWNER / AGENT: Hill Country Springs (Lonnie K. and Cathy Ardrey)

ZONING FROM: I-RR

TO: LI

AREA: 20.60 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning for Tract 1 and limited office – conditional overlay (LO-CO) combining district zoning for Tract 2, as illustrated in Exhibit B. On Tracts 1 and 2, the Conditional Overlay limits the number of vehicle trips to no more than 2,000 per day. On Tract 2, the Conditional Overlay prohibits the following uses: automotive rentals; automotive repair services; automotive sales; automotive washing (of any type); commercial off-street parking; drop-off recycling collection facility; exterminating services; hotel-motel; off-site accessory parking; outdoor entertainment; outdoor sports and recreation; pawn shop services; service stations; congregate living; and residential treatment.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

October 2, 2007: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO 11/06/07.*

[T. RABAGO, K. JACKSON – 2ND] (6-0) B. BAKER, C. HAMMOND – ABSENT

November 6, 2007: *CONTINUED TO 12/04/07 (ZAP)*

[C. HAMMOND, K. JACKSON 2ND] (7-0) S. HALE – ABSENT

** PUBLIC HEARING REMAINS OPEN.*

December 4, 2007: *REFERRING TO EXHIBIT C, FOR TRACT 1, APPROVED LI-CO DISTRICT ZONING, ALLOWING LIGHT MANUFACTURING AND GENERAL WAREHOUSING AND DISTRIBUTION AND ALL W/LO USES; FOR TRACT 2, APPROVED GR-CO DISTRICT ZONING FOR APPROXIMATELY 2 ACRES ALONG IH-35 SERVICE ROAD, AS STAFF RECOMMENDED; FOR TRACT 3, APPROVED RR-CO DISTRICT ZONING FOR APPROXIMATELY 12 ACRES.*

[K. JACKSON, J. SHIEH 2ND] (7-1) C. HAMMOND – NAY

ISSUES:

The Applicant is in agreement with the recommendation of the Zoning and Platting Commission.

Letters and statements of opposition from adjacent property owners as well as photographs of the property are provided at the back of the Staff report.

On November 19, 2007, Neighborhood Planning and Zoning Department staff, Transportation review staff and a representative of the Texas Department of Transportation (TXDoT) met with three representatives of Parkside at Slaughter Creek to continue discussions on the Applicant's request and Staff recommendation. The Applicant offered to create a third tract with RR zoning generally adjacent to the residences that have frontage on Big Thicket Drive, which the Parkside representatives support, and the Staff does not object to this agreement. The Applicant would like to retain LI zoning for a tract that encompasses the building and parking area and is agreeable to GR-CO zoning as Staff recommended along the IH-35 frontage road. This alternative is generally illustrated in Exhibit C.

With regard to the IH-35 frontage road that is one-lane adjacent and in proximity to the Parkside neighborhood, the TXDoT representative states that there is not an active project to improve the frontage road. The representative also stated that although the Slaughter Creek Overpass qualifies for a federal funded widening and replacement project, there is not an active project at this time.

DEPARTMENT COMMENTS:

The subject tract, zoned interim – rural residence (I-RR), contains a water bottling company (approximately 8,000 square feet) along its east side, an office and the sale of portable buildings along the IH-35 frontage road. The irregular shaped, 20-acre property is adjacent to the Parkside at Slaughter Creek single family subdivision on its north and east sides, and includes an undeveloped GR-CO zoned lot at the corner of the frontage road and National Park Boulevard. Slaughter Creek and an apartment development are located to the south (RR, MF-2-CO). The 100-year flood plain generally defines the west property line. Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and A-2 (100-year floodplain depiction).

The west portion of the property contains a spring, and a water bottling company (which is considered a light manufacturing use) is located near the northeast property line and has been in operation since 1996. The Applicant purchased the property in 2001, and it was annexed into the City limits on December 31, 2003. Since the light manufacturing use existed prior to annexation, it is considered a legal nonconforming use. However, the sales of portable buildings, considered a construction sales and services use first allowed in the CS zoning district, has only recently been added to the IH-35 frontage road portion of the property, and furthermore, work occurred without permits, resulting in a Code Enforcement investigation.

The Applicant is seeking limited industrial service (LI) zoning to reflect the light manufacturing use of the property. The Applicant reports that changes to the water bottling operations are not proposed at this time, but that he would like to retain warehouse use on the property. Along the IH-35 frontage road, the Applicant has expressed an interest in allowing for future development of retail sales, restaurant and food sales uses, and along the elongated

east and south sides of the property, a plant nursery (tree farm) has been contemplated. To this latter point, the Applicant has obtained City permits to capture run-off from the water bottling company to irrigate these portions of the property.

Due to the relatively large and irregular shape of the property, the Staff recommends the creation of two zoning tracts, as shown in Exhibit B. For Tract 1, which contains the majority of the property and the water bottling company, the Staff recognizes that the existing use does not have the intensive operations that are commonly associated with industrial uses. However, in consideration that this use may cease over time and its proximity to residential uses, Staff offers an alternative recommendation. The Staff recommendation of limited office (LO) with a conditional overlay (CO) for vehicle trips considers that while the present use is legal and non-conforming since it existed prior to annexation, the property could be redeveloped in the future and LO-CO zoning would provide greater compatibility with the existing residences and provide a transition from uses along the IH-35 frontage road. For Tract 2, which has frontage on the IH-35 service road, the Staff recommends the GR-CO district, and the Conditional Overlay prohibits the same uses as the adjacent property at the corner of IH-35 and National Park Boulevard. These uses include all auto-related uses, congregate living, drop-off recycling collection facility, exterminating services, hotel-motel, outdoor entertainment; outdoor sports and recreation, pawn shop services and residential treatment. The GR zoning district does not permit construction sales and services use, and therefore, the sales of portable buildings would have to be discontinued.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Bottled water company; Office; Portable building sales
<i>North</i>	GR-CO; I-SF-4A; SF-4A	Undeveloped; Single family residences within the Parkside at Slaughter Creek subdivision
<i>South</i>	RR; MF-2-CO	Slaughter Creek; Apartments
<i>East</i>	SF-4A	Single family residences within the Parkside at Slaughter Creek subdivision
<i>West</i>	N/A	IH-35 Service Road northbound and main lanes

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association

300 – Terrell Lane Interceptor Association

428 – Barton Springs/Edwards Aquifer Conservation District

499 – Park Ridge Owners Association

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Association

742 – Austin Independent School District
 777 – Parkside at Slaughter Creek HOA
 786 – Home Builders Association of Greater Austin
 948 – South by Southeast Neighborhood Organization

SCHOOLS:

Blazier Elementary School

Paredes Middle School

Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0126 through C14-05-0134 – Sections 4, 5 and 6 of Parkside at Slaughter Creek subdivision	I-RR to SF-4A	To Grant SF-4A	Approved SF-4A (10-6-05).
C14-04-0104 (Parkside at Slaughter Creek, Section 1, Block A, Lot 19)	I-RR to GR	To Grant GR-CO	Approved GR-CO with prohibited uses: auto rentals; auto repair services; auto sales; auto washing; commercial off-street parking; drop-off recycling collection facility; exterminating services; hotel-motel; off-site accessory parking; outdoor entertainment; outdoor sports and recreation; pawn shop services; service station; congregate living; and residential treatment, as offered by the applicant. Restrictive Covenant for the TIA (11-4-04).
C14-04-0103 (Parkside at Slaughter Lot 127, Block C)	I-RR to GR	To Grant GR-CO	Approved GR-CO with CO for a list of prohibited uses and 2,000 trips (9-2-04).
C14-00-2181 (Keese Tract –	I-RR to MF-2	To Grant MF-2-CO with CO for 25'	Approved MF-2-CO as recommended by PC

10413 IH 35 Zoning Change)		setback along the south and southeast property lines adjacent to residential properties and conditions of the TIA; RR for the flood plain.	(2-8-01).
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RELATED CASES:

The property was annexed into the City limits on December 31, 2003 (C7A-03-001). There are no pending subdivision or site plan applications on the subject property.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
IH-35 Service Road Southbound	315 feet	265 feet	Freeway	No	No	No

CITY COUNCIL DATE: January 17, 2008

ACTION: Approved LI-CO for Tract 1; GR-CO for Tract 2 and RR-CO for Tract 3, as the Zoning and Platting Commission recommended, on First Reading (7-0).

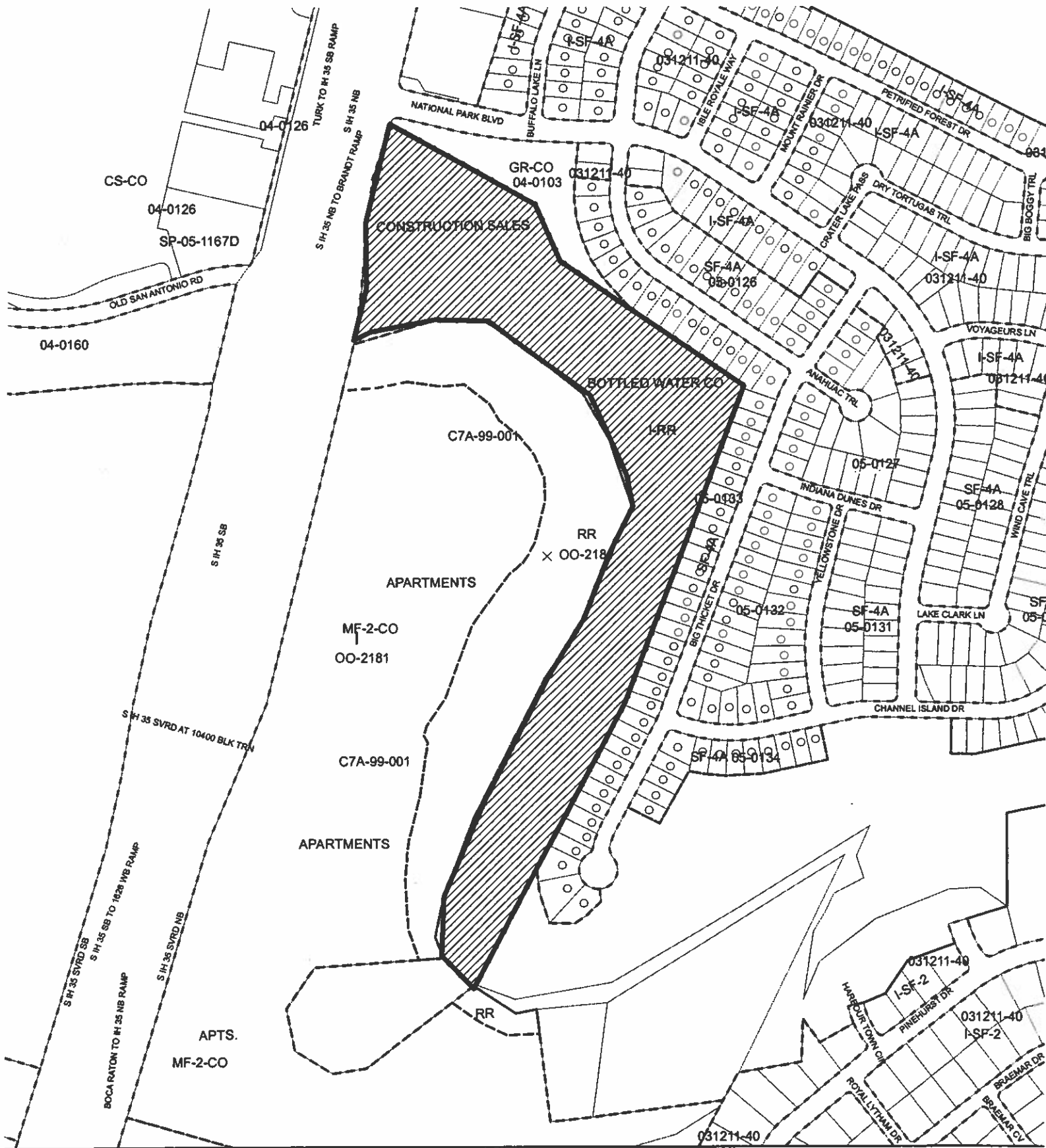
January 15, 2009

ORDINANCE READINGS: 1st January 17, 2008 2nd 3rd

ORDINANCE NUMBER:

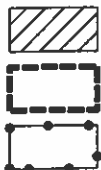
CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719



ZONING

Exhibit A



Subject Tract

Zoning Boundary

Pending Cases

ZONING CASE#: C14-2007-0102

ADDRESS: 10019 IH 35 S

SUBJECT AREA: 20.60 ACRES

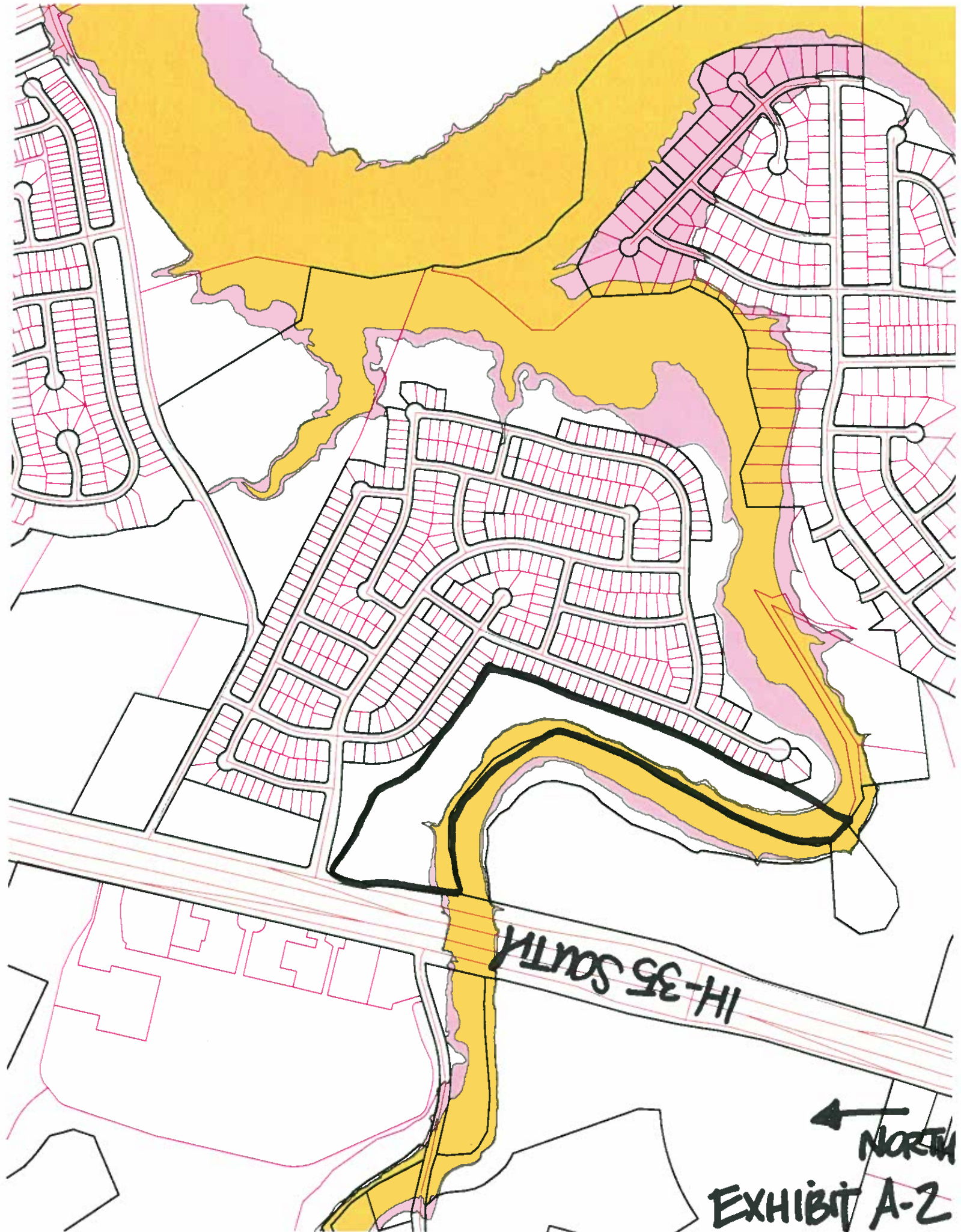
GRID: G12

MANAGER: W. RHOADES

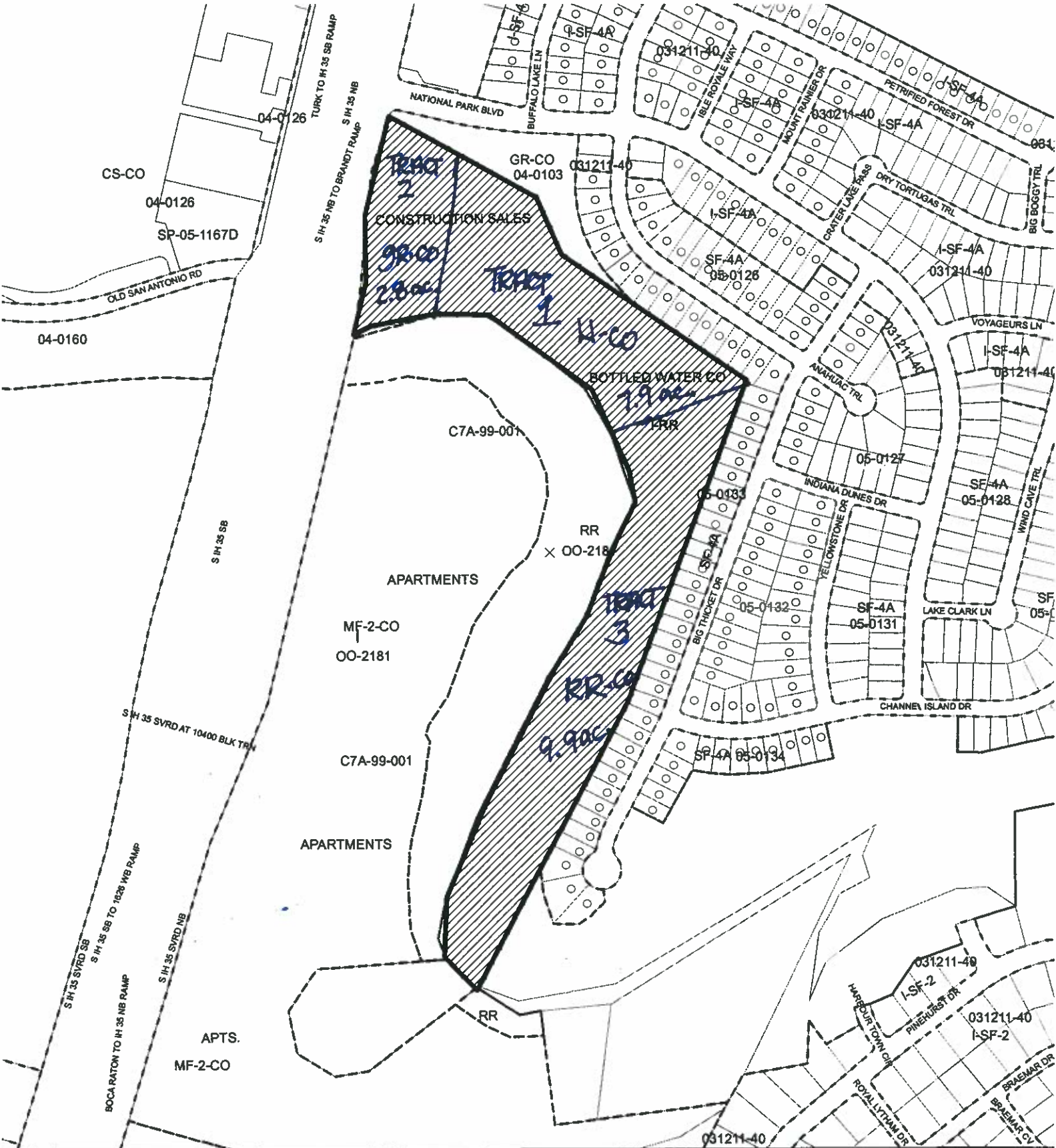


1" = 400' OPERATOR: S MEEKS

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



← NORTH
EXHIBIT A-2



N

Subject Tract

Zoning Boundary

Pending Cases

ZONING

ZONING CASE#: C14-2007-0102
 ADDRESS: 10019 IH 35 S
 SUBJECT AREA: 20.60 ACRES
 GRID: G12
 MANAGER: W. RHOADES

EXHIBIT C
APPLICANT'S
REVISED
REQUEST



SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning for Tract 1 and limited office – conditional overlay (LO-CO) combining district zoning for Tract 2, as illustrated in Exhibit B. On Tracts 1 and 2, the Conditional Overlay limits the number of vehicle trips to no more than 2,000 per day. On Tract 2, the Conditional Overlay prohibits the following uses: automotive rentals; automotive repair services; automotive sales; automotive washing (of any type); commercial off-street parking; drop-off recycling collection facility; exterminating services; hotel-motel; off-site accessory parking; outdoor entertainment; outdoor sports and recreation; pawn shop services; service stations; congregate living; and residential treatment.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Applicant's Request: The LI, Limited Industrial Service district designation is for a commercial service use or limited manufacturing use generally located on a moderately sized site.

Staff Recommendation: The GR, Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The property has access to the IH-35 frontage road.

LO, Limited Office zoning is intended for office use predominantly serving the neighborhood or community needs, such as professional, semi-professional and medical offices, which may be located within or adjacent to residential neighborhoods.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

The Staff recommendation of limited office (LO) with a conditional overlay (CO) for vehicle trips considers that while the present use is legal and non-conforming since it existed prior to annexation, the property could be redeveloped in the future and LO-CO zoning would provide greater compatibility with the existing residences and provide a transition from uses along the IH-35 frontage road. For Tract 2, which has frontage on the IH-35 service road, the Staff recommends the GR-CO district, and the Conditional Overlay prohibits the same uses as the adjacent property at the corner of IH-35 and National Park Boulevard.

EXISTING CONDITIONS

Site Characteristics

The subject property contains a water bottling company and the sale of portable buildings and slopes towards Slaughter Creek. There is a spring on the west portion of the property.

Impervious Cover

The maximum impervious cover allowed by the **LI** zoning district would be 80%, which is based on the more restrictive watershed regulations.

The maximum impervious cover allowed by the **GR** zoning district would be 80% based on the more restrictive watershed regulations, outlined below.

The maximum impervious cover allowed by the **LO** district would be 70%. The watershed impervious cover listed below is less restrictive than the zoning district's allowable impervious cover, and therefore, the impervious cover is limited by the zoning regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain within the project boundary. Offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the North and East property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- Additional design regulations will be enforced at the time a site plan is submitted.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2007-0102

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

October 2, 2007 Zoning and Platting Commission

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

Your Name (please print) Doug Smith, Rachel Smith

10225 Andrew Trail Austin, TX 78747

Your address(es) affected by this application

[Signature] 9/24/07
Signature Date

Comments:

Zone and Platting Commission

Case Number: C14-2007-0102

October 2, 2007

Wendy Rhoades

We object to the change in zoning in that
area. There is already a large amount of
L-I build up in the area and feel that the
land would be better suited for R-R
Zoning.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2007-0102

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

October 2, 2007 Zoning and Platting Commission

Heather + Aaron Chapman

Your Name (please print)

10105 Big Thicket

Your address(es) affected by this application

Heather Chapman 9-25-07

Signature

Date

Comments:

I object because it

devalues our property in

adjacent neighborhood (Parkside,

Unnighly things left on

property, unkempt, high

traffic, on already busy

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

Vote NO!

Sally S. Victor
10128 Wind Cave Trail
Austin, Texas 78747

September 29, 2007

City of Austin
Neighborhood Planning and Zoning Department
P.O. Box 1088
Austin, Texas 78767-8810

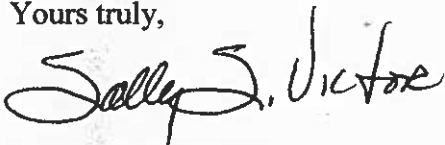
Attn: Wendy Rhodes

Dear Sir or Madam:

I am writing in opposition to the Hill Country Spring Rezoning case that will be considered by the City of Austin Neighborhood Planning and Zoning Department on Tuesday October 2, 2007.

I live in the Parkside Neighborhood immediately adjacent to Hill Country Springs and would be unfavorably impacted by this zoning change request. Please register my opposition with the Neighborhood Planning and Zoning Commission.

Yours truly,

A handwritten signature in cursive script that reads "Sally S. Victor". The signature is written in dark ink and is positioned above the printed name.

SALLY S. VICTOR

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Case Number: C14-2007-0102

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

October 2, 2007 Zoning and Platting Commission

PAUL CORNWELL

Your Name (please print)

10508 Big Thicket Dr Austin Tx

Your address(es) affected by this application

[Signature]

Signature

9/25/07

Date

☐ I am in favor
☒ I object

Comments:

THIS PROPERTY ADJOINS SAUTTER
CREEK - ONION CREEK AND
THUS FURTHER SHOWS BE LIMITED
TO RESIDENTIAL USE
ONLY

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

City of Austin
Neighborhood Planning and Zoning Department

Case Number: C14-2007-0102

Contact: Wendy Rhoades

Public Hearing: October 2, 2007 Zoning and Platting Commission


Comments:

We oppose the application for the zoning change from Interim Rural Residence district to Limited Industrial Service District. Currently two businesses are already operating at this address, a bottled water company and a storage building company. Our concern is that the zoning change could impact our quality of neighborhood life by allowing further development, potentially undesirable, on this property either by the current owner or future owners.

Case Number: C14-2007-0102

Address 10019 IH-35 South

We the undersigned oppose the zoning change from I-RR to LI.

<u>Name</u>	<u>Address</u>
Steve & Thelma Herrera	10305 BIG THICKET DR
HECTOR MOYA	10308 BIG THICKET DR
NORMAN COOPER	10329 BIG THICKET DR
Efrain Aguayo	10620 Big Thicket Dr
Mark Wangel	10612 Big Thicket Dr
Ashley Fontenot	10604 Big Thicket Dr.
Chris Fontenot	10604 Big Thicket Dr.
Ricardo Garcia	10512 Big Thicket Dr
Jessica Love	10512 Big Thicket Dr.
Maria M. Cruz	10408 Big Thicket Dr.
Verónica Rinalcaba	10401 Big Thicket Dr.
ROBERTO AGUDO	10325 BIG THICKET DR
HENRY DINTA	10317 BIG THICKET DR
	10313 Big Thicket Dr.
Elisa Delgado	10217 Big Thicket Dr.
Nicolas Delgado	10217 Big Thicket Dr.
Erik Salinas	10209 Big Thicket Dr.
NONITO CAYA	10201 BIG THICKET

Case Number: C14-2007-0102

Address 10019 IH-35 South

We the undersigned oppose the zoning change from I-RR to LI.

<u>Name</u>	<u>Address</u>
Ignacio Cerecedo	10500 Big Thicket 78747
DAVID CORNEL	10508 " "
CHRIS TAYSON	10616 "
CHUCK STEPHAN	10616 "
Dora C. Fierro	10116 Big Thicket Dr.
Edwin A. Jones	10608 Big Thicket Dr.
Lorraine Kerlick	10520 Big Thicket dr.
Lawrence Knutwell	10516 Big Thicket dr
Hiep Nguyen	10424 Big Thicket
Patricia Hurrell	10416 Big Thicket Dr.
Dore Weaver	10412 " " Pl. 78747
Noe Rodriguez	10404 Big Thicket
Cooper Dandel	10400 Big Thicket
Kathleen Sheehan	10328 Big Thicket Dr 78747
Sharisa Rhoades	10324 Big Thicket Dr. 78747
Michelle Jansen	10328 Big Thicket Dr 78747
Elizabeth Hudgins	10320 Big Thicket Dr 78747
Ty Hudgins	10320 Big Thicket Dr. 78747

Case Number: C14-2007-0102

Address 10019 IH-35 South

We the undersigned oppose the zoning change from I-RR to LI.

<u>Name</u>	<u>Address</u>
Douglas K. Odle	10304 Big Thicket Dr.
Jason HANUSCH	10304 BIG THICKET DR.
Janey Rivera	10308 Big Thicket Dr.
Valente Cruz Jr.	10232 Anahuac Trl
ERNESTO GONZ	10228 Anahuac Trl
Melinda Ubalde	10217 Anahuac Trl
ALFRED RENTERIA	10217 Anahuac Trl
ANTONIO YBARRA	10213 Anahuac Trl
CAROL RANGIER	10213 Anahuac Trl
Epifanio ROSADO	10205 ANAHUAC Trl
ARMANDO POUCE	10201 ANAHUAC Trl
Elena Torres	10201 Anahuac Trail
Ernesto Pulver	10200 Anahuac Trl.
John McPherson	10136 Anahuac Trl
Mary McPherson	10136 Anahuac Trl
Paula West	10125 Anahuac Trl
Kyle Andrews	10309 Big Thicket Dr.

Case Number: C14-2007-0102

Address 10019 IH-35 South

We the undersigned oppose the zoning change from I-RR to LI.

Name

Address

Todd Allgood	10316 Big Thicket Dr. Austin Tx 78747
Tim Nichokes	10312 Big Thicket Dr. Austin, TX 78747
Kim Nichokes	10312 Big Thicket Dr. Austin, TX 78747
Renee Backer	10300 Big Thicket Dr. Austin, TX 78747
CHRISTOPHER BAUGH	10220 Big Thicket Dr Austin TX 78747
Whitney Waugh	10208 Big Thicket Dr Austin 78747
Zack Zamora	10208 Big Thicket Dr. Austin 78747
SHANE & JENNIFER ARENS	10120 Big Thicket Dr, Austin, TX 78747
Claudia Hernandez	10112 Big Thicket DR. Austin TX 78747
Cordelia Bernat Zuhl	10108 Big Thicket Austin TX 78747
Ray & Sylvia Castib	10101 ANAHUAC Austin TX 78747
TIZIANA CATANIA	10117 ANAHUAC TRAIL AUSTIN, TX 78747

Case Number: C14-2007-0102

Address 10019 IH-35 South

We the undersigned oppose the zoning change from I-RR to LI.

Name

Address

DENNIS CABASE

10205 BIG THICKET DR.

VICTOR PADRON, 10117 Big Thicket Dr

Alma Padron 10117 Big Thicket Dr

Heather Chapman 10105 Big Thicket Dr.

Ann Murray 10100 Big Thicket Dr.

TEDDORO ANGELES 10104 " " "

Tena Ball 10133 Anahuac

Priscilla ROSADO 10205 Anahuac

Jtrat Nisar Butt 10120 Anahuac Trail

CAPRI CAPITAL PARTNERS LLC

875 North Michigan Avenue, Suite 3430 Chicago, Illinois 60611

T 312.573.5300 F 312.573.5270 capricapital.com



VIA CERTIFIED MAIL

Capri Capital Partners

October 4, 2007

City of Austin
Neighborhood Planning and Zoning Department
Wendy Rhoades
P.O. Box 1088
Austin, TX 78767-8810

Re: Objection to Zoning Change (Case Number: C14-2007-0102)

Dear Wendy:

Please find enclosed the owner's formal objection to the referenced zoning change. The owner is the Teachers' Retirement System of the State of Illinois ("TRS"). Capri Capital Partners, LLC ("Capri") is agent for the owner.

Thank you for your assistance in this matter.

Regards,

Brian J. Gant
Vice President -- Asset Management

Enclosures (1)

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2007-0102

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

October 2, 2007 Zoning and Platting Commission

☐ I am in favor
☒ I object

Brian J. Gant

Your Name (please print)

VP, Asset Management, Capri Capital Partners, LLC --
As Agent for Owner of The Stonegate Apartment*

Your address(es) affected by this application

Brian J. Gant 10/1/07
Signature Date

Comments: The Stonegate Apartments are located

at 10505 S. IH 35, in Austin, TX

I understand the hearing was
postponed until 11/06/2007

* The owner is The Teachers' Retirement
System of the State of Illinois

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

